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ASSEMBLY, No. 1674

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblywoman CONNIE MYERS

District 23 (Warren, Hunterdon and Mercer)

SYNOPSIS

Permits certain nonpublic school pupils to purchase bus transportation from boards of education or cooperative transportation services agencies.

CURRENT VERSION OF TEXT

As introduced.



A1674 MYERS

2

1 **AN ACT** concerning the transportation of nonpublic school pupils and
2 supplementing chapter 39 of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. A board of education responsible for the transportation of public
8 school pupils to and from school pursuant to N.J.S.18A:39-1 or a
9 cooperative transportation services agency as identified by the
10 Commissioner of Education may permit nonpublic school pupils who
11 live in or outside of the district and who are not eligible for pupil
12 transportation pursuant to N.J.S.18A:39-1 because the distance from
13 the pupil's residence to the nonpublic school is greater than the
14 mileage limit established pursuant to N.J.S.18A:39-1 or any other law
15 to purchase transportation to the nonpublic school from the board of
16 education or the cooperative transportation services agency provided
17 that:

- 18 a. there is available space on the appropriate bus route; and
19 b. the parent, guardian or other person having legal custody of the
20 pupil attending the nonpublic school agrees to transport the pupil to
21 an existing bus stop as determined by the board of education or the
22 cooperative transportation services agency.

23 The parent, guardian or other person having legal custody of the
24 pupil attending the nonpublic school shall pay no more than the per
25 pupil cost of the route for the transportation provided pursuant to this
26 section. The costs of the transportation shall be paid at the time and
27 in the manner determined by the board of education or cooperative
28 transportation services agency.

29 A board of education or the cooperative transportation services
30 agency shall notify the Department of Education when it elects to
31 provide transportation for pupils under the provisions of this section.

32 Boards of education shall not receive State transportation aid
33 pursuant to section 25 of P.L.1996, c.138 (C.18A:7F-25) for the
34 transportation of pupils pursuant to this section; however these pupils
35 shall be included in the calculation of the district's regular vehicle
36 capacity utilization for purposes of the application of the incentive
37 factor pursuant to that section.

38
39 2. This act shall take effect immediately.

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41

42 **STATEMENT**

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44 This bill permits a board of education that is responsible for busing
45 its pupils to and from school pursuant to the provisions of
46 N.J.S.18A:39-1, or a cooperative transportation services agency as

A1674 MYERS

1 identified by the Commissioner of Education, to permit nonpublic
2 school pupils who live in or outside of the district and who are not
3 eligible for transportation services because the distance from the
4 pupil's residence to the nonpublic school is greater than the mileage
5 limit established pursuant to N.J.S.18A:39-1 or any other law, to
6 purchase transportation to the nonpublic school under the following
7 conditions:

- 8 a. there is available space on the appropriate bus route;
- 9 b. the pupil's parent or guardian agrees to transport the pupil to an
10 existing bus stop as determined by the board of education or the
11 cooperative transportation services agency; and
- 12 c. the parent or guardian pays the cost of the transportation;
13 however that cost may not exceed the per pupil cost of the route for
14 the transportation provided. The cost shall be paid at the time and in
15 the manner determined by the board or agency.

16 The bill specifies that a school district would not receive State
17 transportation aid for nonpublic school pupils transported pursuant to
18 the bill's provisions; however these pupils would be included in the
19 calculation of the district's regular vehicle capacity utilization under
20 the transportation aid formula.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1674

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2000

The Assembly Education Committee favorably reports Assembly Bill No. 1674 with committee amendments.

As amended by committee, this bill permits a board of education that is responsible for busing its pupils to and from school pursuant to the provisions of N.J.S.18A:39-1, or a cooperative transportation services agency as identified by the Commissioner of Education, to permit nonpublic school pupils who live in or outside of the district and who are not eligible for transportation services because the distance from the pupil's residence to the nonpublic school is greater than the mileage limit established pursuant to N.J.S.18A:39-1 or any other law, to purchase transportation to the nonpublic school under the following conditions:

- a. there is available space on the appropriate bus route;
- b. the pupil's parent or guardian agrees to transport the pupil to an existing bus stop as determined by the board of education or the cooperative transportation services agency; and
- c. the parent or guardian pays the cost of the transportation; however that cost may not exceed the per pupil cost of the route for the transportation provided. The cost shall be paid at the time and in the manner determined by the board or agency.

The bill specifies that a school district would not receive State transportation aid for nonpublic school pupils transported pursuant to the bill's provisions; however these pupils would be included in the calculation of the district's regular vehicle capacity utilization under the transportation aid formula.

The committee amended the bill to provide that if a nonpublic school pupil who lives within the district is eligible for transportation services or an in-lieu-of payment under P.L.1999, c.350, which was signed by the Governor on January 14, 2000, then that section of law would govern the transportation of the pupil. P.L.1999, c.350 provides that if a school district provides transportation to a nonpublic school pupil under N.J.S.18A:39-1, the school district must also provide transportation services or an in-lieu-of payment to nonpublic school pupils who attend that same nonpublic school but reside more

than 20 miles from the school, provided that the pupil lives in the same municipality as the student being transported. Under that law the State pays the costs incurred by the school district.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1674

STATE OF NEW JERSEY

DATED: JUNE 8, 2000

The Senate Education Committee reports favorably Assembly Bill No. 1674 (1R).

This bill permits a board of education that is responsible for busing its pupils to and from school pursuant to the provisions of N.J.S.18A:39-1, or a cooperative transportation services agency as identified by the Commissioner of Education, to permit nonpublic school pupils who live in or outside of the district and who are not eligible for transportation services because the distance from the pupil's residence to the nonpublic school is greater than the mileage limit established pursuant to N.J.S.18A:39-1 or any other law, to purchase transportation to the nonpublic school under the following conditions:

- a. there is available space on the appropriate bus route;
- b. the pupil's parent or guardian agrees to transport the pupil to an existing bus stop as determined by the board of education or the cooperative transportation services agency; and
- c. the parent or guardian pays the cost of the transportation; however, that cost may not exceed the per pupil cost of the route for the transportation provided. The cost shall be paid at the time and in the manner determined by the board or agency.

Prior to providing the transportation, the board of education must determine if the pupil is eligible for transportation or an in-lieu-of payment pursuant to section 1 of P.L.1999, c.350, and if the pupil is eligible, then that provision of law would govern the transportation services provided to the pupil. P.L.1999, c.350 provides that if a school district transports a nonpublic school pupil under the current statutes, the school district must also provide transportation services or an in-lieu-of payment to nonpublic school pupils who attend that same nonpublic school but reside more than 20 miles from the school, provided that the pupil lives in the same municipality as the student being transported. Under that law the State pays the costs incurred by the school district.

The bill specifies that a school district would not receive State transportation aid for nonpublic school pupils transported pursuant to the provisions of the bill; however, these pupils would be included in

the calculation of the district's regular vehicle capacity utilization under the transportation aid formula.

As reported, this bill is identical to S-1044 with Senate Education Committee amendments.

[First Reprint]

ASSEMBLY, No. 1674

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblywoman CONNIE MYERS

District 23 (Warren, Hunterdon and Mercer)

Co-Sponsored by:

Senators Kyrillos, Bucco, Bennett, Turner and Inverso

SYNOPSIS

Permits certain nonpublic school pupils to purchase bus transportation from boards of education or cooperative transportation services agencies.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on May 8, 2000, with amendments.



(Sponsorship Updated As Of: 6/30/2000)

1 AN ACT concerning the transportation of nonpublic school pupils and
2 supplementing chapter 39 of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. A board of education responsible for the transportation of public
8 school pupils to and from school pursuant to N.J.S.18A:39-1 or a
9 cooperative transportation services agency as identified by the
10 Commissioner of Education may permit nonpublic school pupils who
11 live in or outside of the district and who are not eligible for pupil
12 transportation pursuant to N.J.S.18A:39-1 because the distance from
13 the pupil's residence to the nonpublic school is greater than the
14 mileage limit established pursuant to N.J.S.18A:39-1 or any other law
15 to purchase transportation to the nonpublic school from the board of
16 education or the cooperative transportation services agency provided
17 that:

- 18 a. there is available space on the appropriate bus route; and
19 b. the parent, guardian or other person having legal custody of the
20 pupil attending the nonpublic school agrees to transport the pupil to
21 an existing bus stop as determined by the board of education or the
22 cooperative transportation services agency.

23 The parent, guardian or other person having legal custody of the
24 pupil attending the nonpublic school shall pay no more than the per
25 pupil cost of the route for the transportation provided pursuant to this
26 section. The costs of the transportation shall be paid at the time and
27 in the manner determined by the board of education or cooperative
28 transportation services agency.

29 A board of education or the cooperative transportation services
30 agency shall notify the Department of Education when it elects to
31 provide transportation for pupils under the provisions of this section.

32 Boards of education shall not receive State transportation aid
33 pursuant to section 25 of P.L.1996, c.138 (C.18A:7F-25) for the
34 transportation of pupils pursuant to this section; however these pupils
35 shall be included in the calculation of the district's regular vehicle
36 capacity utilization for purposes of the application of the incentive
37 factor pursuant to that section.

38 ¹Prior to providing transportation pursuant to this section to a
39 nonpublic school pupil who lives within the district, a board of
40 education shall determine if the pupil is eligible for transportation or
41 an in-lieu-of payment pursuant to section 1 of P.L.1999, c.350
42 (C.18A:39-1.6). If the board of education determines that the pupil

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AED committee amendments adopted May 8, 2000.

1 is eligible for transportation or an in-lieu-of payment pursuant to
2 section 1 of P.L.1999, c.350 (C.18A:39-1.6), then that provision of
3 law shall govern the transportation services provided to the pupil by
4 the board of education.¹

5

6 2. This act shall take effect immediately.

P.L. 2000, CHAPTER 114, *approved September 8, 2000*
Assembly, No. 1674 (*First Reprint*)

1 **AN ACT** concerning the transportation of nonpublic school pupils and
2 supplementing chapter 39 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. A board of education responsible for the transportation of public
8 school pupils to and from school pursuant to N.J.S.18A:39-1 or a
9 cooperative transportation services agency as identified by the
10 Commissioner of Education may permit nonpublic school pupils who
11 live in or outside of the district and who are not eligible for pupil
12 transportation pursuant to N.J.S.18A:39-1 because the distance from
13 the pupil's residence to the nonpublic school is greater than the
14 mileage limit established pursuant to N.J.S.18A:39-1 or any other law
15 to purchase transportation to the nonpublic school from the board of
16 education or the cooperative transportation services agency provided
17 that:

18 a. there is available space on the appropriate bus route; and

19 b. the parent, guardian or other person having legal custody of the
20 pupil attending the nonpublic school agrees to transport the pupil to
21 an existing bus stop as determined by the board of education or the
22 cooperative transportation services agency.

23 The parent, guardian or other person having legal custody of the
24 pupil attending the nonpublic school shall pay no more than the per
25 pupil cost of the route for the transportation provided pursuant to this
26 section. The costs of the transportation shall be paid at the time and
27 in the manner determined by the board of education or cooperative
28 transportation services agency.

29 A board of education or the cooperative transportation services
30 agency shall notify the Department of Education when it elects to
31 provide transportation for pupils under the provisions of this section.

32 Boards of education shall not receive State transportation aid
33 pursuant to section 25 of P.L.1996, c.138 (C.18A:7F-25) for the
34 transportation of pupils pursuant to this section; however these pupils
35 shall be included in the calculation of the district's regular vehicle
36 capacity utilization for purposes of the application of the incentive
37 factor pursuant to that section.

38 ¹Prior to providing transportation pursuant to this section to a
39 nonpublic school pupil who lives within the district, a board of
40 education shall determine if the pupil is eligible for transportation or

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AED committee amendments adopted May 8, 2000.

1 an in-lieu-of payment pursuant to section 1 of P.L.1999, c.350
2 (C.18A:39-1.6). If the board of education determines that the pupil
3 is eligible for transportation or an in-lieu-of payment pursuant to
4 section 1 of P.L.1999, c.350 (C.18A:39-1.6), then that provision of
5 law shall govern the transportation services provided to the pupil by
6 the board of education.¹

7

8 2. This act shall take effect immediately.

9

10

11

12

13 _____
14 Permits certain nonpublic school pupils to purchase bus transportation
15 from boards of education or cooperative transportation services
agencies.

CHAPTER 114

AN ACT concerning the transportation of nonpublic school pupils and supplementing chapter 39 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:39-1.7 Purchase of transportation by nonpublic school pupils; conditions.

1. A board of education responsible for the transportation of public school pupils to and from school pursuant to N.J.S.18A:39-1 or a cooperative transportation services agency as identified by the Commissioner of Education may permit nonpublic school pupils who live in or outside of the district and who are not eligible for pupil transportation pursuant to N.J.S.18A:39-1 because the distance from the pupil's residence to the nonpublic school is greater than the mileage limit established pursuant to N.J.S.18A:39-1 or any other law to purchase transportation to the nonpublic school from the board of education or the cooperative transportation services agency provided that:

a. there is available space on the appropriate bus route; and

b. the parent, guardian or other person having legal custody of the pupil attending the nonpublic school agrees to transport the pupil to an existing bus stop as determined by the board of education or the cooperative transportation services agency.

The parent, guardian or other person having legal custody of the pupil attending the nonpublic school shall pay no more than the per pupil cost of the route for the transportation provided pursuant to this section. The costs of the transportation shall be paid at the time and in the manner determined by the board of education or cooperative transportation services agency.

A board of education or the cooperative transportation services agency shall notify the Department of Education when it elects to provide transportation for pupils under the provisions of this section.

Boards of education shall not receive State transportation aid pursuant to section 25 of P.L.1996, c.138 (C.18A:7F-25) for the transportation of pupils pursuant to this section; however these pupils shall be included in the calculation of the district's regular vehicle capacity utilization for purposes of the application of the incentive factor pursuant to that section.

Prior to providing transportation pursuant to this section to a nonpublic school pupil who lives within the district, a board of education shall determine if the pupil is eligible for transportation or an in-lieu-of payment pursuant to section 1 of P.L.1999, c.350 (C.18A:39-1.6). If the board of education determines that the pupil is eligible for transportation or an in-lieu-of payment pursuant to section 1 of P.L.1999, c.350 (C.18A:39-1.6), then that provision of law shall govern the transportation services provided to the pupil by the board of education.

2. This act shall take effect immediately.

Approved September 8, 2000.